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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/646,536	08/21/2003	Yuh-Shen Song	7443-102	9859
167	7590	08/16/2006	EXAMINER	
FULBRIGHT AND JAWORSKI LLP 555 S. FLOWER STREET, 41ST FLOOR LOS ANGELES, CA 90071			HAMILTON, LALITA M	
			ART UNIT	PAPER NUMBER
			3693	

DATE MAILED: 08/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/646,536	SONG ET AL.	
	Examiner	Art Unit	
	Lalita M. Hamilton	3693	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on Septebmer 7, 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-45 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>09082005</u> .  | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

On March 9, 2005, an Office Action was sent to the Applicant rejecting claims 1-41. On September 7, 2005, the Applicant responded by amending claim 1 and adding new claims 42-45.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-2, 7-8, 11, 16-17, 22-23, 27-41, and 45 are rejected under 35 U.S.C. 102(a) as being anticipated by Hoshino (2002/0111918).

Hoshino discloses a method for processing funds transfer transactions comprising a method for verification and processing of a remote transaction using cash as the payment instrument involving a payer's account at a financial institution, opening a remote payment system account for the payer after verifying the payer's identity, payer's financial institution and the specific account at that institution, authenticating the payer's identity when the payer logs into the remote payment system to conduct a remote transaction using cash as the payment instrument, prompting the payer to enter the payee's name, identification information, and transaction amount into the database of the remote payment system; assigning a transaction identification number which the payee will use to identify and request a cash payment, prompting the payee to insert a machine-readable official identification card and enter the assigned transaction

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identification number into a remote payment system terminal, verifying that embedded identification information read from the payee's official identification card at the remote payment system terminal matches the payee information entered by the payer into the remote payment system database and associated with the transaction identification number entered by the payee, and that the specific amount of funds is available from the payer's account at the financial institution, and if the verification of the payee's identity is successful and the specific amount of transaction funds are available, causing said remote payment terminal to issue a cash payment of that specific amount to the payee (p.2, 3 to p.3, 33 and 36-37; p.4, 72; p.7, 115-116; p.9, 142 to p.10, 143, 148, and 157; and p.12, 176-178—access is being interpreted as logging into the system); prompting the payer to submit a machine-readable official identification card prior to the opening of said remote payment system account, and opening said the remote payment system account only if embedded identification information read from the payer's identification card matches the account holder information of the financial account identified by the payer (p.2, 3 to p.3, 33 and 36-37; p.4, 72; p.7, 115-116; p.9, 142 to p.10, 143, 148, and 157); prompting the payer to input an additional item of personal information embedded in the identification card (PIN) but not stored in the remote database of the financial institution, and verifying that the additional personal information input by the payer matches the personal information embedded in the identification card (p.2, 3 to p.3, 33 and 36-37; p.4, 72; p.7, 115-116; p.9, 142 to p.10, 143, 148, and 157); prompting the payer to log into the remote payment system with an official identification card, and validating the login only if the embedded identification

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information read from the payer's identification card matches the account holder information in the remote payment system database (p.2, 3 to p.3, 33 and 36-37; p.4, 72; p.7, 115-116; p.9, 142 to p.10, 143, 148, and 157); the personal information input by the payee includes at least a password (p.2, 3 to p.3, 33 and 36-37; p.4, 72; p.7, 115-116; p.9, 142 to p.10, 143, 148, and 157); the payer's financial account includes at least a bank account such as checking or savings account (p.2, 3 to p.3, 33 and 36-37; p.4, 72; p.7, 115-116; p.9, 142 to p.10, 143, 148, and 157); the payer's financial account includes at least a credit card account (p.2, 3 to p.3, 33 and 36-37; p.4, 72; p.7, 115-116; p.9, 142 to p.10, 143, 148, and 157); the payer's financial account includes at least a debit card account (p.2, 3 to p.3, 33 and 36-37; p.4, 72; p.7, 115-116; p.9, 142 to p.10, 143, 148, and 157); the remote payment system terminal is incorporated into a self-service machine (p.2, 3 to p.3, 33 and 36-37; p.4, 72; p.7, 115-116; p.9, 142 to p.10, 143, 148, and 157); the self-service machine includes at least an ATM terminal (p.2, 3 to p.3, 33 and 36-37; p.4, 72; p.7, 115-116; p.9, 142 to p.10, 143, 148, and 157); the self-service machine includes at least a check-cashing terminal (p.2, 3 to p.3, 33 and 36-37; p.4, 72; p.7, 115-116; p.9, 142 to p.10, 143, 148, and 157); the self-service machine includes at least a standalone kiosk where cash is available for withdrawal (p.2, 3 to p.3, 33 and 36-37; p.4, 72; p.7, 115-116; p.9, 142 to p.10, 143, 148, and 157); the remote payment terminal is installed in a location under the supervision and control of the remote payment system (p.2, 3 to p.3, 33 and 36-37; p.4, 72; p.7, 115-116; p.9, 142 to p.10, 143, 148, and 157); the remote payment system secures the payment funds from the specified payer account against the possible payer's fraud before issuing

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the transaction identification number (p.2, 3 to p.3, 33 and 36-37; p.4, 72; p.7, 115-116; p.9, 142 to p.10, 143, 148, and 157); permitting the payer's financial institution to open an account in the remote payment system on behalf of the payer (p.2, 3 to p.3, 33 and 36-37; p.4, 72; p.7, 115-116; p.9, 142 to p.10, 143, 148, and 157); the payer's account in the remote payment system is linked to a specific payer's account of the financial institution opening said remote payment system account (p.2, 3 to p.3, 33 and 36-37; p.4, 72; p.7, 115-116; p.9, 142 to p.10, 143, 148, and 157); the remote payment system is established exclusively for one financial institution to provide services to the customers of the financial institution (p.2, 3 to p.3, 33 and 36-37; p.4, 72; p.7, 115-116; p.9, 142 to p.10, 143, 148, and 157); a wireless data transmission device is incorporated into the identification card and a wireless data receiver reads the machine-readable identification information of the identification card (p.2, 3 to p.3, 33 and 36-37; p.4, 72; p.7, 115-116; p.9, 142 to p.10, 143, 148, and 157); a wireless data transmission device is incorporated into the identification card and a wireless data receiver reads the machine-readable identification information of the identification card (p.2, 3 to p.3, 33 and 36-37; p.4, 72; p.7, 115-116; p.9, 142 to p.10, 143, 148, and 157); a wireless data transmission device is incorporated into the identification card and a wireless data receiver reads the machine-readable identification information of the identification card (p.2, 3 to p.3, 33 and 36-37; p.4, 72; p.7, 115-116; p.9, 142 to p.10, 143, 148, and 157); and the payee does not have an account with the remote payment system (p.2, 3 to p.3, 33 and 36-37; p.4, 72; p.7, 115-116; p.9, 142 to p.10, 143, 148, and 157).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-6, 9-10, 12-15, 18-21, and 24-26, and 42-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoshino in view of Reece (2003/0150915).

Hoshino discloses the invention substantially as claimed; however, Hoshino does not disclose prompting the payer to input an additional item of personal information not embedded in the identification card but stored in the remote database of the financial institution, and verifying that the additional personal information input by the payer matches the personal information stored in the remote database; the personal information input by the payer includes at least part of a social security number; the personal information input by the payer includes at least biometric information; the biometric information input by the payer includes at least a fingerprint; the card is a government issued identification card being a driver's license; including an escrow agent into the transaction based on the agreement between payer and payee, and the payee cannot receive pay; or the payee's official identification card is not linked to any account at any financial institution. Reece discloses an IC authorization method comprising prompting the payer to input an additional item of personal information not embedded in the identification card but stored in the remote database of the financial institution, and verifying that the additional personal information input by the payer matches the personal information stored in the remote database (p.10, 274-297 and

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p.11, 314-328); the personal information input by the payer includes at least part of a social security number (p.10, 274-297 and p.11, 314-328); the personal information input by the payer includes at least biometric information (p.10, 274-297 and p.11, 314-328); the biometric information input by the payer includes at least a fingerprint (p.10, 274-297 and p.11, 314-328); the card is a government issued identification card being a driver's license (p.10, 274-297 and p.11, 314-328); including an escrow agent into the transaction based on the agreement between payer and payee (p.10, 274-297 and p.11, 314-328); and the payee cannot receive pay; and the payee's official identification card is not linked to any account at any financial institution (p.10, 274-297 and p.11, 314-328). It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate prompting the payer to input an additional item of personal information not embedded in the identification card but stored in the remote database of the financial institution, and verifying that the additional personal information input by the payer matches the personal information stored in the remote database; the personal information input by the payer includes at least part of a social security number; the personal information input by the payer includes at least biometric information; the biometric information input by the payer includes at least a fingerprint; the card is a government issued identification card being a driver's license; including an escrow agent into the transaction based on the agreement between payer and payee, and the payee cannot receive pay; and the payee's official identification card is not linked to any account at any financial institution, as taught by Reece into the invention



disclosed by Hoshino, to provide additional alternatives of verifying identity to protect accounts against theft.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-45 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

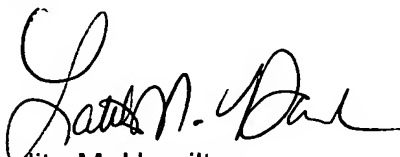
Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lalita M. Hamilton whose telephone number is (571) 272-6743. The examiner can normally be reached on Tuesday-Thursday (6:30-2:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Trammel James can be reached on (571) 272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Lalita M. Hamilton  
Primary Examiner, 3693